

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

JANSSEN PHARMACEUTICALS, INC. and  
JANSSEN PHARMACEUTICA NV,

*Plaintiffs,*  
v.

MYLAN LABORATORIES LIMITED,

*Defendant.*

Civil Action No.  
2:19-cv-16484-CCC-LDW

**(Filed Electronically)**

**NOTICE OF APPEAL**

Defendant Mylan Laboratories Limited appeals to the United States Court of Appeals for the Federal Circuit from the final judgment entered on December 22, 2021 (D.I. 82).

Dated: December 22, 2021

Respectfully submitted,

/s/ Arnold B. Calmann

Arnold B. Calmann (abc@saiber.com)

Jeffrey Soos (jsoos@saiber.com)

Katherine A. Escanlar (kae@saiber.com)

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

JANSSEN PHARMACEUTICALS, INC. and  
JANSSEN PHARMACEUTICA NV,

*Plaintiffs,*  
v.

MYLAN LABORATORIES LIMITED,

*Defendant.*

Civil Action No.  
2:19-cv-16484-CCC-LDW

**CERTIFICATE OF SERVICE**

**(Filed Electronically)**

**ARNOLD B. CALMANN**, hereby certifies as follows:

1. I am an attorney-at-law of the State of New Jersey and admitted to practice before the Courts of the State of New Jersey and the United States District Court for the District of New Jersey.

2. I hereby certify that on the 22nd day of December, 2021, I caused a copy of Defendant Mylan Laboratories Limited's Notice of Appeal and this Certificate of Service, to be served upon all counsel of record via CM/ECF and electronic mail.

Dated: December 22, 2021

s/ Arnold B. Calmann  
Arnold B. Calmann

**U.S. District Court  
District of New Jersey [LIVE] (Newark)  
CIVIL DOCKET FOR CASE #: 2:19-cv-16484-CCC-LDW  
Internal Use Only**

JANSSEN PHARMACEUTICALS, INC. et al v. MYLAN  
LABORATORIES LIMITED et al  
Assigned to: Judge Claire C. Cecchi  
Referred to: Magistrate Judge Leda D. Wettre  
Cause: 28:1338 Patent Infringement

Date Filed: 08/08/2019  
Date Terminated: 12/22/2021  
Jury Demand: None  
Nature of Suit: 835 Patent – Abbreviated  
New Drug Application (ANDA)  
Jurisdiction: Federal Question

**Plaintiff**

**JANSSEN PHARMACEUTICALS,  
INC.**

represented by **ZHIQIANG LIU**  
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**Plaintiff**

**JANSSEN PHARMACEUTICA NV**

represented by **ZHIQIANG LIU**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**KEITH J. MILLER**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**MYLAN LABORATORIES LIMITED**

represented by **ARNOLD B. CALMANN**  
SAIBER LLC  
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*TERMINATED: 06/21/2021*

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*ATTORNEY TO BE NOTICED*

**Defendant**

**MYLAN PHARMACEUTICALS INC.**

*TERMINATED: 09/05/2019*

represented by **ARNOLD B. CALMANN**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**JEFFREY S. SOOS**

(See above for address)

*ATTORNEY TO BE NOTICED*

**KATHERINE ANN ESCANLAR**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**MYLAN INSTITUTIONAL LLC**

*TERMINATED: 09/05/2019*

represented by **ARNOLD B. CALMANN**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**JEFFREY S. SOOS**

(See above for address)

*ATTORNEY TO BE NOTICED*

**KATHERINE ANN ESCANLAR**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Counter Claimant**

**MYLAN LABORATORIES LIMITED**

represented by **ALISSA MARIE PACCHIOLO**

(See above for address)

*TERMINATED: 06/15/2021*

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**ARNOLD B. CALMANN**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**JEFFREY S. SOOS**

(See above for address)

*ATTORNEY TO BE NOTICED***KATHERINE ANN ESCANLAR**

(See above for address)

*ATTORNEY TO BE NOTICED*

V.

**Counter Defendant****JANSSEN PHARMACEUTICA NV**represented by **ZHIQIANG LIU**

(See above for address)

*ATTORNEY TO BE NOTICED***KEITH J. MILLER**

(See above for address)

*ATTORNEY TO BE NOTICED***Counter Defendant****JANSSEN PHARMACEUTICALS,  
INC.**represented by **ZHIQIANG LIU**

(See above for address)

*ATTORNEY TO BE NOTICED***KEITH J. MILLER**

(See above for address)

*ATTORNEY TO BE NOTICED*

| Date Filed | #        | Docket Text  |
|------------|----------|--|
| 08/08/2019 | <u>1</u> | COMPLAINT against MYLAN INSTITUTIONAL LLC, MYLAN LABORATORIES LIMITED, MYLAN PHARMACEUTICALS INC. ( Filing and Admin fee \$ 400 receipt number 0312-9879395), filed by JANSSEN PHARMACEUTICALS, INC., JANSSEN PHARMACEUTICA NV. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Civil Cover Sheet)(MILLER, KEITH) (Entered: 08/08/2019) |
| 08/08/2019 |          | Judge Claire C. Cecchi and Chief Mag. Judge Mark Falk added. (eu, ) (Entered: 08/08/2019)  |
| 08/09/2019 | <u>2</u> | SUMMONS ISSUED as to MYLAN INSTITUTIONAL LLC, MYLAN LABORATORIES LIMITED, MYLAN PHARMACEUTICALS INC.. Attached is the official court Summons, please fill out Defendant and Plaintiffs attorney information and serve. (dam, ) (Entered: 08/09/2019)   |
| 08/09/2019 | <u>3</u> | AO120 Patent Form filed. (Attachments: # <u>1</u> Complaint, # <u>2</u> Exhibit A) (dam, ) (Entered: 08/09/2019)   |
| 09/03/2019 | <u>4</u> | SUMMONS Returned Executed by JANSSEN PHARMACEUTICALS, INC., JANSSEN PHARMACEUTICA NV. MYLAN LABORATORIES LIMITED served on 8/20/2019, answer due 9/10/2019. (MILLER, KEITH) (Entered: 09/03/2019)  |
| 09/03/2019 | <u>5</u> | SUMMONS Returned Executed by JANSSEN PHARMACEUTICALS, INC., JANSSEN PHARMACEUTICA NV. MYLAN PHARMACEUTICALS INC. served on 8/19/2019, answer due 9/9/2019. (MILLER, KEITH) (Entered: 09/03/2019)   |
| 09/03/2019 | <u>6</u> | SUMMONS Returned Executed by JANSSEN PHARMACEUTICALS, INC., JANSSEN PHARMACEUTICA NV. MYLAN INSTITUTIONAL LLC served on 8/19/2019, answer due 9/9/2019. (MILLER, KEITH) (Entered: 09/03/2019)  |
| 09/03/2019 | <u>7</u> | NOTICE of Appearance by ARNOLD B. CALMANN on behalf of MYLAN INSTITUTIONAL LLC, MYLAN LABORATORIES LIMITED, MYLAN PHARMACEUTICALS INC. (CALMANN, ARNOLD) (Entered: 09/03/2019)   |

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| 09/03/2019 | <u>8</u>  | NOTICE of Appearance by JEFFREY S. SOOS on behalf of MYLAN INSTITUTIONAL LLC, MYLAN LABORATORIES LIMITED, MYLAN PHARMACEUTICALS INC. (SOOS, JEFFREY) (Entered: 09/03/2019)  |
| 09/03/2019 | <u>9</u>  | NOTICE of Appearance by KATHERINE ANN ESCANLAR on behalf of MYLAN INSTITUTIONAL LLC, MYLAN LABORATORIES LIMITED, MYLAN PHARMACEUTICALS INC. (ESCANLAR, KATHERINE) (Entered: 09/03/2019)   |
| 09/04/2019 | <u>10</u> | Letter from Keith J. Miller, Esq. to Hon. Claire C. Cecchi, U.S.D.J. re Proposed Stipulation and Order Dismissing Without Prejudice Certain Defendants. (Attachments: # <u>1</u> Text of Proposed Order)(MILLER, KEITH) (Entered: 09/04/2019)   |
| 09/05/2019 | <u>11</u> | ORDER granting <u>10</u> Plaintiff's Letter with Text of Proposed Order. Plaintiff hereby dismisses without prejudice their claims against Defendants MYLAN PHARMACEUTICALS INC. and MYLAN INSTITUTIONAL LLC. The parties agree that this Action will continue in this District with respect to Plaintiffs' claims against MYLAN LABORATORIES LIMITED. etc. Signed by Judge Claire C. Cecchi on 9/5/2019. (dam, ) (Entered: 09/05/2019)   |
| 09/05/2019 | <u>12</u> | Application and Proposed Order for Clerk's Order to extend time to answer as to Plaintiffs' Complaint.. (CALMANN, ARNOLD) (Entered: 09/05/2019)   |
| 09/05/2019 |           | Clerk's Text Order – The document <u>12</u> Application for Clerk's Order to Ext Answer/Proposed Order submitted by MYLAN LABORATORIES LIMITED has been GRANTED. The answer due date has been set for 9/24/2019. (dam, ) (Entered: 09/05/2019)  |
| 09/05/2019 | <u>13</u> | Letter from Arnold B. Calmann, Esq. to Chief Magistrate Judge Mark Falk, Regarding Application On Consent for the Pro Hac Vice Admission of Deepro R. Mukerjee, Esq., Lance A. Soderstrom, Esq., and Guylaine Hache, Ph.D., Esq. On Behalf of Defendant Mylan Laboratories Limited. (Attachments: # <u>1</u> Certification of Arnold B. Calmann, Esq., # <u>2</u> Declaration of Deepro R. Mukerjee, Esq., # <u>3</u> Declaration of Lance A. Soderstrom, Esq., # <u>4</u> Declaration Guylaine Hache, Ph.D., Esq., # <u>5</u> Text of Proposed Order)(CALMANN, ARNOLD) (Entered: 09/05/2019)                   |
| 09/06/2019 | <u>14</u> | NOTICE of Appearance by ALISSA MARIE PACCHIOLI on behalf of MYLAN LABORATORIES LIMITED (PACCHIOLI, ALISSA) (Entered: 09/06/2019)  |
| 09/09/2019 | <u>15</u> | NOTICE of Change of Address by KEITH J. MILLER (MILLER, KEITH) (Entered: 09/09/2019)  |
| 09/13/2019 | <u>16</u> | APPLICATION/PETITION for pro hac vice admissions for by JANSSEN PHARMACEUTICA NV, JANSSEN PHARMACEUTICALS, INC.. (Attachments: # <u>1</u> Declaration of Keith J. Miller, Esq., # <u>2</u> Declaration of Barbara Lynn Mullin, Esq., # <u>3</u> Declaration of Gregory Diskant, Esq., # <u>4</u> Declaration of Aron Fischer, Esq., # <u>5</u> Declaration of A. Robert Quirk, Esq., # <u>6</u> Declaration of Meghan Larywon, Esq., # <u>7</u> Declaration of Jeffrey Hughes, Esq., # <u>8</u> Declaration of Jay J. Cho, Ph.D., Esq., # <u>9</u> Text of Proposed Order)(MILLER, KEITH) (Entered: 09/13/2019) |
| 09/16/2019 | <u>17</u> | ORDER granting <u>16</u> Plaintiff's Application/Petition for the Pro Hac Vice Admission of BARBARA LYNN MULLIN, ESQ.; GREGORY DISKANT, ESQ.; ARON FISCHER, ESQ.; A. ROBERT QUIRK, ESQ.; MEGHAN LARYWON, ESQ.; JEFFREY HUGHES, ESQ.; and JAY J. CHO, PH.D. etc. Signed by Chief Mag. Judge Mark Falk on 9/16/2019. (dam, ) (Entered: 09/17/2019)  |
| 09/18/2019 | <u>18</u> | Notice of Request by Pro Hac Vice Jay J. Cho, Ph.D., Esq. to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312–9973340.) (MILLER, KEITH) (Entered: 09/18/2019)   |
| 09/18/2019 | <u>19</u> | Notice of Request by Pro Hac Vice Gregory Diskant, Esq. to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312–9973344.) (MILLER, KEITH) (Entered: 09/18/2019)   |
| 09/18/2019 | <u>20</u> | Notice of Request by Pro Hac Vice Aron Fischer, Esq. to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312–9973346.) (MILLER, KEITH) (Entered: 09/18/2019)  |

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| 09/18/2019 | <u>21</u> | Notice of Request by Pro Hac Vice Jeffrey Hughes, Esq. to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312-9973349.) (MILLER, KEITH) (Entered: 09/18/2019)   |
| 09/18/2019 | <u>22</u> | Notice of Request by Pro Hac Vice Meghan Larywon, Esq. to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312-9973351.) (MILLER, KEITH) (Entered: 09/18/2019)   |
| 09/18/2019 | <u>23</u> | Notice of Request by Pro Hac Vice Barbara L. Mullin, Esq. to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312-9973357.) (MILLER, KEITH) (Entered: 09/18/2019)  |
| 09/18/2019 | <u>24</u> | Notice of Request by Pro Hac Vice A. Robert Quirk, Esq. to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312-9973360.) (MILLER, KEITH) (Entered: 09/18/2019)  |
| 09/19/2019 | <u>25</u> | NOTICE of Appearance by ZHIQIANG LIU on behalf of JANSSEN PHARMACEUTICA NV, JANSSEN PHARMACEUTICALS, INC. (LIU, ZHIQIANG) (Entered: 09/19/2019)  |
| 09/19/2019 |           | Pro Hac Vice counsel, JAY J. CHO, GREGORY DISKANT, ARON FISCHER, JEFFREY HUGHES, ESQ, MEGHAN LARYWON, BARBARA LYNN MULLIN and A. ROBERT QUIRK, have been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (dam, ) (Entered: 09/19/2019) |
| 09/24/2019 | <u>26</u> | ANSWER to Complaint , <i>Defenses and</i> , COUNTERCLAIM against JANSSEN PHARMACEUTICA NV, JANSSEN PHARMACEUTICALS, INC. by MYLAN LABORATORIES LIMITED. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Certificate of Service)(CALMANN, ARNOLD) (Entered: 09/24/2019)  |
| 09/24/2019 | <u>27</u> | Corporate Disclosure Statement by MYLAN LABORATORIES LIMITED. (CALMANN, ARNOLD) (Entered: 09/24/2019)  |
| 10/07/2019 | <u>28</u> | LETTER ORDER: Initial Conference set for 11/12/2019 at 11:00 AM in Newark – Courtroom 9 before Chief Mag. Judge Mark Falk. Signed by Chief Mag. Judge Mark Falk on 10/7/19. (LM, ) (Entered: 10/07/2019)   |
| 10/08/2019 | <u>29</u> | ORDER granting <u>13</u> Defendant's Application/Letter for the Pro Hac Vice admission of DEEPRO R. MUKERJEE, ESQ.; LANCE A. SODERSTROM, ESQ.; and GUYLAINE HACHE, PH.D., ESQ. etc. Signed by Chief Mag. Judge Mark Falk on 10/8/2019. (dam, ) (Entered: 10/09/2019)   |
| 10/15/2019 | <u>30</u> | ANSWER to Counterclaim by All Plaintiffs.(MILLER, KEITH) (Entered: 10/15/2019)   |
| 10/28/2019 |           | Pro Hac Vice fees as to DEEPRO R. MUKERJEE, ESQ.; LANCE A. SODERSTROM, ESQ.; and GUYLAINE HACHE, PH.D., ESQ.: \$ 450, receipt number NEW040855 (dam, ) (Entered: 10/28/2019)   |
| 11/01/2019 | <u>31</u> | Notice of Request by Pro Hac Vice Deeepro R. Mukerjee, Esq. to receive Notices of Electronic Filings. (CALMANN, ARNOLD) (Entered: 11/01/2019)  |
| 11/01/2019 | <u>32</u> | Notice of Request by Pro Hac Vice Lance A. Soderstrom, Esq. to receive Notices of Electronic Filings. (CALMANN, ARNOLD) (Entered: 11/01/2019)  |
| 11/01/2019 | <u>33</u> | Notice of Request by Pro Hac Vice Guylaine Hache, Esq. to receive Notices of Electronic Filings. (CALMANN, ARNOLD) (Entered: 11/01/2019)   |
| 11/01/2019 |           | Pro Hac Vice counsel, DEEPRO R. MUKERJEE, LANCE A. SODERSTROM and GUYLAINE HACHE, have been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (dam, ) (Entered: 11/01/2019)  |
| 11/08/2019 | <u>34</u> | Letter from Keith J. Miller, Esq. to Hon. Mark Falk, U.S.M.J. re Proposed Joint Discovery Plan. (Attachments: # <u>1</u> Text of Proposed Order)(MILLER, KEITH) (Entered: 11/08/2019)  |

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| 11/12/2019 |           | Minute Entry for proceedings held before Chief Mag. Judge Mark Falk: Initial Pretrial Conference held on 11/12/2019. (Court Reporter/Recorder NONE.) (LM, ) (Entered: 11/20/2019)   |
| 11/25/2019 | <u>35</u> | Letter from Arnold B. Calmann, Esq. to the Honorable Mark Falk, Chief U.S.M.J. Requesting Extension of Time to File Discovery Confidentiality Order. (CALMANN, ARNOLD) (Entered: 11/25/2019)  |
| 11/27/2019 | <u>36</u> | Letter from Keith J. Miller, Esq. to Hon. Mark Falk, U.S.M.J. re Proposed Pro Hac Vice Admission. (Attachments: # <u>1</u> Declaration of Keith J. Miller, # <u>2</u> Declaration of Andrew D. Cohen, # <u>3</u> Text of Proposed Order)(MILLER, KEITH) (Entered: 11/27/2019)   |
| 12/03/2019 | <u>37</u> | ORDER granting <u>35</u> Defendant's Letter requesting a two-week extension of time to 12/10/2019 to submit a DCO. etc. Signed by Chief Mag. Judge Mark Falk on 11/26/2019. (dam, ) (Entered: 12/03/2019)   |
| 12/03/2019 | <u>38</u> | ORDER granting <u>36</u> Plaintiff's Application/Letter for the Pro Hac Vice Admission of ANDREW D. COHEN, ESQ. etc. Signed by Chief Mag. Judge Mark Falk on 12/2/2019. (dam, ) (Entered: 12/03/2019)   |
| 12/04/2019 | <u>39</u> | Notice of Request by Pro Hac Vice Andrew D. Cohen to receive Notices of Electronic Filings. ( Pro Hac Vice fee \$ 150 receipt number 0312-10154781.) (MILLER, KEITH) (Entered: 12/04/2019)  |
| 12/04/2019 |           | Pro Hac Vice counsel, ANDREW D. COHEN, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (dam, ) (Entered: 12/04/2019)   |
| 12/10/2019 | <u>40</u> | Letter from Keith J. Miller, Esq. to Hon. Mark Falk, U.S.M.J. re Proposed Discovery Confidentiality Order. (Attachments: # <u>1</u> Text of Proposed Order)(MILLER, KEITH) (Entered: 12/10/2019)  |
| 12/10/2019 | <u>41</u> | DECLARATION of Preston Imperatore in Support of Discovery Confidentiality Order re <u>40</u> Letter by MYLAN LABORATORIES LIMITED. (CALMANN, ARNOLD) (Entered: 12/10/2019)  |
| 12/11/2019 | <u>42</u> | Discovery Confidentiality Order re <u>40</u> Plaintiff's Letter with Proposed DCO. etc. Signed by Chief Mag. Judge Mark Falk on 12/11/2019. (dam, ) (Entered: 12/11/2019)   |
| 12/13/2019 | <u>43</u> | ORDER setting Telephone Status Conferences. etc. Signed by Chief Mag. Judge Mark Falk on 12/13/2019. (dam, ) (Entered: 12/13/2019)  |
| 12/16/2019 | <u>44</u> | AMENDED ORDER setting Telephone Status Conferences. etc. Signed by Chief Mag. Judge Mark Falk on 12/16/2019. (dam, ) (Entered: 12/18/2019)  |
| 02/13/2020 | <u>45</u> | ORDER granting Letter requesting to cancel 2/13/2020 Status Conference. Signed by Chief Mag. Judge Mark Falk on 2/13/2020. (ams, ) (Entered: 02/13/2020)  |
| 04/03/2020 | 46        | TEXT ORDER: All scheduled conferences will proceed by telephone. All counsel should be present on the line and then dial in to (201) 341-3629 at the scheduled time. No settlement statements, joint discovery plans or other filings are required at this time. If counsel are not available for the conference call, please email chambers at mf_orders@njd.uscourts.gov. So Ordered by Chief Mag. Judge Mark Falk on 4/3/20.(LM, ) (Entered: 04/03/2020) |
| 04/23/2020 | <u>47</u> | Letter from Keith J. Miller, Esq. to Hon. Mark Falk, U.S.M.J. re Case Management Conference. (MILLER, KEITH) (Entered: 04/23/2020)  |
| 04/27/2020 | 48        | TEXT ORDER: Please be advised that the telephone conference before the Undersigned on April 28, 2020 is hereby canceled. So Ordered by Chief Mag. Judge Mark Falk on 4/27/20. (LM, ) (Entered: 04/27/2020)  |
| 06/30/2020 | 49        | TEXT ORDER: All scheduled conferences will proceed by telephone. Participants will dial (1-888-684-8852) and the Access Code (1364268#) to join in on the conference call. If counsel are not available for the conference call or have any questions, please email chambers at mf_orders@njd.uscourts.gov. So Ordered by Chief Mag. Judge Mark Falk on 6/30/20.(LM, ) (Entered: 06/30/2020)  |



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| 07/09/2020 |           | Minute Entry for proceedings held before Chief Mag. Judge Mark Falk: Status/Settlement Conference via telephone held on 7/9/2020. (Court Reporter – NONE) (LM, ) (Entered: 07/21/2020)  |
| 07/10/2020 | <u>50</u> | TEXT ORDER– There shall be a telephone conference before the Undersigned on August 6, 2020, at 3:00 p.m. All counsel should be present on the line before dialing in to (201) 341–3629 to be connected to Chief Mag. Judge Mark Falk. If counsel are not available for the conference call, please email chambers at mf_orders@njd.uscourts.gov. So Ordered by Chief Mag. Judge Mark Falk on 7/10/20. (Newman, Robin) (Entered: 07/10/2020)                           |
| 08/05/2020 | <u>51</u> | Letter from Keith J. Miller, Esq. to Hon. Claire C. Cecchi, U.S.D.J. re Joint Stipulation and Proposed Order re Undisputed Claim Limitations of '906 Patent. (Attachments: # <u>1</u> Text of Proposed Order)(MILLER, KEITH) (Entered: 08/05/2020)  |
| 08/06/2020 |           | Minute Entry for proceedings held before Chief Mag. Judge Mark Falk: Status/Settlement Conference via telephone held on 8/6/2020. (Court Reporter/Recorder NONE.) (LM, ) (Entered: 08/12/2020)  |
| 08/07/2020 | <u>52</u> | STIPULATION AND ORDER re Undisputed Claim Limitations of U.S. Patent No. 9,439,906. Signed by Judge Claire C. Cecchi on 8/7/2020. (ams, ) (Entered: 08/07/2020)   |
| 08/12/2020 | <u>53</u> | TEXT ORDER: There shall be a telephone conference before the Undersigned on September 30, 2020 at 11:00 a.m. Participants will dial (1–888–684–8852) and the Access Code (1364268#) to join in on the conference call. If counsel are not available for the conference call or have any questions, please email chambers at mf_orders@njd.uscourts.gov. So Ordered by Chief Mag. Judge Mark Falk on 8/12/20. (LM, ) (Entered: 08/12/2020)                             |
| 08/24/2020 | <u>54</u> | Letter from Keith J. Miller, Esq. to Hon. Mark Falk, U.S.M.J. re 53 Order,. (MILLER, KEITH) (Entered: 08/24/2020)   |
| 08/27/2020 | <u>55</u> | TEXT ORDER: The telephone conference before the Undersigned on September 30, 2020 is hereby rescheduled to October 6, 2020 at 11:45 a.m. Participants will dial (1–888–684–8852) and the Access Code (1364268#) to join in on the conference call. If counsel are not available for the conference call or have any questions, please email chambers at mf_orders@njd.uscourts.gov. So Ordered by Chief Mag. Judge Mark Falk on 8/27/20. (LM, ) (Entered: 08/27/2020) |
| 09/10/2020 | <u>56</u> | Letter from Keith J. Miller, Esq. to Hon. Mark Falk, U.S.M.J.. (Attachments: # <u>1</u> Notice of Withdrawal of Counsel Admitted Pro Hac Vice)(MILLER, KEITH) (Entered: 09/10/2020)   |
| 09/21/2020 | <u>57</u> | ORDER granting <u>56</u> Letter requesting the Withdrawal of Pro Hac Vice Counsel Meghan Larywon, Esq. Signed by Chief Mag. Judge Mark Falk on 9/21/2020. (ams, ) (Entered: 09/21/2020)   |
| 10/05/2020 | <u>58</u> | Letter from Keith J. Miller, Esq. to Hon. Mark Falk, U.S.M.J. re Joint Stipulation and Proposed Order Regarding Schedule. (Attachments: # <u>1</u> Text of Proposed Order)(MILLER, KEITH) (Entered: 10/05/2020)   |
| 10/05/2020 | <u>59</u> | TEXT ORDER: Please be advised that the conference via telephone on October 6, 2020 is hereby rescheduled to October 27, 2020 at 3:45 p.m. Participants will dial (1–888–684–8852) and the Access Code (1364268#) to join in on the conference call. If counsel are not available for the conference call or have any questions, please email chambers at mf_orders@njd.uscourts.gov. So Ordered by Chief Mag. Judge Mark Falk on 10/5/20.(LM, ) (Entered: 10/05/2020) |
| 10/19/2020 | <u>60</u> | NOTICE of Change of Address by ARNOLD B. CALMANN (CALMANN, ARNOLD) (Entered: 10/19/2020)  |
| 10/22/2020 | <u>61</u> | Letter from Keith J. Miller, Esq. to Hon. Mark Falk, U.S.M.J. re 59 Order,. (MILLER, KEITH) (Entered: 10/22/2020)   |
| 10/23/2020 | <u>62</u> | STIPULATION AND ORDER re Schedule, etc. Signed by Chief Mag. Judge Mark Falk on 10/23/2020. (ams, ) (Entered: 10/23/2020)   |

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| 12/02/2020 | <u>63</u> | Corporate Disclosure Statement by MYLAN LABORATORIES LIMITED. (CALMANN, ARNOLD) (Entered: 12/02/2020)  |
| 01/11/2021 | <u>64</u> | Letter from Arnold B. Calmann, Esq. to the Honorable Mark Falk, Chief U.S.M.J. Enclosing Joint Stipulation and Proposed Order Regarding Schedule. (Attachments: # <u>1</u> Text of Proposed Order)(CALMANN, ARNOLD) (Entered: 01/11/2021)  |
| 01/12/2021 | <u>65</u> | STIPULATION AND ORDER re Schedule, etc. Signed by Chief Mag. Judge Mark Falk on 1/12/2021. (ams, ) (Entered: 01/12/2021)   |
| 02/23/2021 | <u>66</u> | Letter from Keith J. Miller, Esq. to Hon. Claire C. Cecchi, U.S.D.J. re Stipulation and Proposed Order re Infringement. (Attachments: # <u>1</u> Text of Proposed Order)(MILLER, KEITH) (Entered: 02/23/2021)  |
| 02/25/2021 | <u>67</u> | STIPULATION AND ORDER re Infringement of Claims 1–21 of U.S. Patent No. 9,439,906. Signed by Judge Claire C. Cecchi on 2/25/2021. (ams, ) (Entered: 02/25/2021)  |
| 02/26/2021 | <u>68</u> | Letter from Keith J. Miller, Esq. to Hon. Mark Falk, U.S.M.J. re Joint Stipulation and Order Regarding Schedule. (Attachments: # <u>1</u> Text of Proposed Order)(MILLER, KEITH) (Entered: 02/26/2021)   |
| 03/11/2021 | <u>69</u> | TEXT ORDER– There shall be a telephone conference before the Undersigned on March 23, 2021, at 3:00 p.m. Participants will dial (1–888–684–8852) and the Access Code (1364268#) to join in on the conference call. If counsel are not available for the conference call or have any questions, please email chambers at mf_orders@njd.uscourts.gov. So Ordered by Chief Mag. Judge Mark Falk on 3/11/21. (Newman, Robin) (Entered: 03/11/2021) |
| 03/22/2021 | <u>70</u> | Letter from Keith J. Miller, Esq. to Hon. Mark Falk, U.S.M.J. re 69 Order,. (MILLER, KEITH) (Entered: 03/22/2021)  |
| 03/23/2021 |           | Minute Entry for proceedings held before Chief Mag. Judge Mark Falk: Status/Settlement Conference via telephone held on 3/23/2021. (Court Reporter/None.) (LM, ) (Entered: 04/05/2021)   |
| 05/28/2021 | <u>71</u> | STIPULATION AND ORDER. Signed by Judge Claire C. Cecchi on 5/28/21. (jr) (Entered: 05/28/2021)   |
| 06/15/2021 | <u>72</u> | Notice to be terminated and withdraw from Notices of Electronic filing as to case. Attorney ALISSA MARIE PACCHIOLI terminated. (PACCHIOLI, ALISSA) (Entered: 06/15/2021)   |
| 06/21/2021 |           | (Court only) *** Attorney ALISSA MARIE PACCHIOLI terminated. (JB, ) (Entered: 06/21/2021)  |
| 07/01/2021 | <u>73</u> | Letter from Arnold B. Calmann, Esq. to the Honorable Mark Falk, Chief U.S.M.J. Requesting Approval of Withdrawal of Pro Hac Vice Attorney Guylaine Hache, Esq. re <u>29</u> Order. (CALMANN, ARNOLD) (Entered: 07/01/2021)   |
| 07/28/2021 | <u>74</u> | ORDER granting <u>73</u> Letter re Withdrawal of Pro Hac Vice Counsel Guylaine Hache. Signed by Chief Mag. Judge Mark Falk on 7/28/2021. (ams, ) (Entered: 07/28/2021)   |
| 09/24/2021 |           | Case Reassigned to Magistrate Judge James B. Clark. Chief Mag. Judge Mark Falk no longer assigned to the case. (mxw) (Entered: 09/24/2021)   |
| 10/01/2021 |           | Case Reassigned to Magistrate Judge Leda D. Wettre. Magistrate Judge James B. Clark no longer assigned to the case. (ak, ) (Entered: 10/01/2021)   |
| 10/05/2021 | <u>75</u> | TEXT ORDER – A telephone conference is set for 10/7/2021 at 2:00 p.m. before Magistrate Judge Leda D. Wettre for the purpose of making disclosures. Dial-in information for the conference is (888) 684–8852, access code 8948139. So Ordered by Magistrate Judge Leda D. Wettre on 10/5/2021. (rn) (Entered: 10/05/2021)  |
| 10/07/2021 | <u>76</u> | Letter from Keith J. Miller, Esq. to Hon. Leda D. Wettre, U.S.M.J. re 75 Order,. (MILLER, KEITH) (Entered: 10/07/2021)   |
| 10/07/2021 |           | Minute Entry for proceedings held before Magistrate Judge Leda D. Wettre: Status Conference held on 10/7/2021. (LM, ) (Entered: 10/09/2021)  |

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| 10/18/2021 | <u>77</u> | Letter from Arnold B. Calmann, Esq. to the Honorable Leda Dunn Wettre, U.S.M.J. re 75 Order, Status Conference. (CALMANN, ARNOLD) (Entered: 10/18/2021)   |
| 10/21/2021 | 78        | TEXT ORDER – A telephone conference is set for 1/19/2022 at 4:30 p.m. before Magistrate Judge Leda D. Wettre. Dial-in information for the conference is (888) 684-8852, access code 8948139. So Ordered by Magistrate Judge Leda D. Wettre on 10/21/2021. (rn) (Entered: 10/21/2021)  |
| 10/21/2021 | <u>79</u> | Letter from Keith J. Miller, Esq. to the Honorable Leda D. Wettre, U.S.M.J. Requesting Approval of Withdrawal of Pro Hac Vice Attorney Jeffrey Hughes, Esq. re 17 Order.. (Attachments: # <u>1</u> NOTICE OF WITHDRAWAL OF COUNSEL ADMITTED PRO HAC VICE)(MILLER, KEITH) (Entered: 10/21/2021)  |
| 10/22/2021 | <u>80</u> | ORDER granting <u>79</u> Letter re Withdrawal of Pro Hac Vice Counsel Jeffrey Hughes. Signed by Magistrate Judge Leda D. Wettre on 10/22/2021. (ams, ) (Entered: 10/22/2021)  |
| 12/03/2021 | <u>81</u> | Letter from Keith J. Miller, Esq. to Hon. Claire C. Cecchi, U.S.D.J. re Proposed Final Judgment. (Attachments: # <u>1</u> Text of Proposed Order)(MILLER, KEITH) (Entered: 12/03/2021)  |
| 12/22/2021 | <u>82</u> | JUDGMENT in favor of JANSSEN PHARMACEUTICA NV, JANSSEN PHARMACEUTICALS, INC. against MYLAN LABORATORIES LIMITED. CIVIL CASE TERMINATED. etc. Signed by Judge Claire C. Cecchi on 12/22/2021. (jd,) (Entered: 12/22/2021)  |
| 12/22/2021 | <u>83</u> | NOTICE OF APPEAL to Federal Circuit as to <u>82</u> Judgment by MYLAN LABORATORIES LIMITED. Filing fee \$ 505, receipt number ANJDC-13065654. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. (Attachments: # <u>1</u> Certificate of Service)(CALMANN, ARNOLD) (Entered: 12/22/2021) |

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

JANSSEN PHARMACEUTICALS, INC. and  
JANSSEN PHARMACEUTICA NV,

*Plaintiffs,*  
v.

MYLAN LABORATORIES LIMITED,

*Defendant.*

Civil Action No. 2:19-cv-16484-CCC-LDW

**FINAL JUDGMENT**

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. This Court has jurisdiction over Plaintiffs Janssen Pharmaceuticals, Inc. and Janssen Pharmaceutica NV (collectively, “Janssen”) and Defendant Mylan Laboratories Limited (“Mylan”) and the subject matter of this action.

2. Pursuant to the Stipulation and Order in this Action entered May 28, 2021 (D.I. 71 ¶ 4), Janssen and Mylan are bound by the Final Judgment in *Janssen Pharmaceuticals, Inc. v. Teva Pharmaceuticals USA, Inc.*, Civil Action No. 2:18-cv-00734 (“the Teva Action”) (Teva Action, D.I. 273) as if Mylan had fully participated in the Teva Action.

3. Therefore, for the reasons set forth in the Court’s Opinion in the Teva Action dated October 8, 2021 (Teva Action, D.I. 266, 271), and as reflected in the Court’s Order of the same date (Teva Action, D.I. 267), Final Judgment is entered in favor of Janssen and against Mylan on all claims and counterclaims with respect to infringement and validity of United States Patent No. 9,439,906 (“the ’906 patent”) and Mylan’s products that are the subject of ANDA No. 213124.

4. Pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any approval of Mylan’s ANDA No. 213124 shall be no earlier than the date of expiration of the ’906 patent (currently

January 26, 2031).

5. Pursuant to 35 U.S.C. § 271(e)(4)(B), Mylan and its affiliates, successors, partners, officers, agents, servants, employees, and attorneys, and other persons or entities in active concert or participation with any of them, are hereby enjoined from offering to sell or selling within the United States the products that are the subject of ANDA No. 213124 until no earlier than the expiration of the '906 patent (currently January 26, 2031). As used in this paragraph 5, “offering to sell” means to make an “offer for sale” or “offer to sell” as those terms are defined in 35 U.S.C. § 271(i).

6. In accordance with 21 C.F.R. § 314.107(e), Mylan shall submit a copy of this Final Judgment to the FDA within fourteen (14) days of the date of entry of this Final Judgment by the Court.

7. For the avoidance of doubt, this Final Judgment does not address and shall have no effect on any regulatory exclusivities to which Janssen may become entitled after its entry.

8. Each party shall bear its own fees and costs.

9. This is a final, appealable judgment.

**IT IS SO ORDERED**, on this 22 day of December, 2021



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Hon. Claire C. Cecchi  
United States District Judge